

IN THE FRANKLIN COUNTY MUNICIPAL COURT  
ENVIRONMENTAL DIVISION  
FRANKLIN COUNTY, OHIO

2021 JAN 15 AM 11:26

FRANKLIN COUNTY  
MUNICIPAL COURT  
LORI M TYACK

STATE EX. REL  
COLUMBUS CITY ATTORNEY  
ZACK KLEIN  
375 South High Street, 17th Floor  
Columbus, Ohio 43215

Relator-Plaintiff,

v.

Case No.

Judge Stephanie Mingo

STACY WOODFORD, SR.  
4270 East Main Street  
Columbus, Ohio 43213

and

ANTHONY WOODFORD  
294 Longbranch Drive  
Dublin, Ohio 43017

and

SHOMARI S. MORALES  
298 East Seventeenth Avenue  
Columbus, Ohio 43201

and

SPENCER J. WRIGHT-WILLS  
298 East Seventeenth Avenue  
Columbus, Ohio 43201

and

CHRISTOPHER C. SCOTT  
298 East Seventeenth Avenue  
Columbus, Ohio 43201

and

UNKNOWN TENANTS OF 298

**EAST SEVENTEENTH AVENUE**  
298 East Seventeenth Avenue  
Columbus, Ohio 43201

and

**CHERYL BROOKS SULLIVAN**  
**FRANKLIN COUNTY TREASURER**  
373 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

and

**REAL PROPERTY AT**  
**298 EAST SEVENTEENTH AVENUE**  
298 EAST SEVENTEENTH AVENUE  
Columbus, Ohio 43201

**Parcel No. 010-023531-00**

Respondents-Defendants.

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### **TEMPORARY RESTRAINING ORDER**

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This matter came before the Court on January 15, 2021, on Relator's request for a temporary restraining order filed in conjunction with a Complaint for Preliminary and Permanent Injunctive Relief. In light of the circumstances, this motion was filed *ex parte*. For purposes of the temporary restraining order, the Court finds that the Relator has established that Respondents-Defendants are owners and/or person in charge, care or control of the property located at 298 East Seventeenth Avenue, Columbus, Ohio, Parcel No. 010-023531 ("the Premises"). On information and belief, Relator asserts the following:

1. The Premises came to the attention of Columbus Police Department ("CPD") in October 2020.

2. The Premises is a commercial rooming house located in the University Area of the City of Columbus. The Premises is a duplex building.
3. The Premises located at 298 East Seventeenth Avenue, Columbus, Ohio 43201 has been used and occupied for:
  - a. Conduct that substantially interferes with the public decency, sobriety, peace and good order; and or
  - b. Conduct associated with the use of illegal substances;
  - c. Conduct associated with underage consumption of alcohol;
  - d. Conduct associated with felonious assaults.
4. And therefore, the Premises constitute a nuisance as defined in R.C. §§ 3719.10, 3767.01, 3767.02 and Columbus City Code § 4703 and is subject to abatement under R.C. § 3767.
5. On October 7, 2020, the Columbus Division of Police (hereinafter referred to as "CPD") responded to the Premises on a call of a stolen vehicle. The vehicle was later recovered.
6. On October 16, 2020 at approximately 10:50 p.m., CPD Dispatch received a call for service regarding a loud party with underage drinking at the Premises.
7. On October 17, 2020, at approximately 12:30 a.m., CPD responded to the Premises for an unknown complaint. The victim alleged to have been sexually assaulted by a male, who later claimed he was the owner of the Premises. In an attempt to get away, the victim punched the male in the face. The male then threatened to shoot her as she fled. Another victim stated that she was assaulted by a group of females in the rear of the Premises.
8. Also on October 17, 2020, at approximately 1:00 a.m., CPD responded to the Premises on a call of a disturbance. Upon responding, a vehicle was crashed into another vehicle, causing minor damage. Upon further investigation, the driver was found to have been

involved in a fight and was attempting to drive around a cruiser when he struck the unoccupied parked vehicle. The driver was later issued a citation for driving without a driver's license.

9. On December 21, 2020, CPD Dispatch received a call for service regarding loud noises coming from the Premises.
10. On December 27, 2020, CPD responded to the Premises on a report of a male with a gun.
11. On January 1, 2021, CPD Dispatch received a call for service regarding an Operating a Vehicle while Impaired offense at the Premises.
12. On January 2, 2021, CPD received a call for service for loud music at the Premises.
13. On January 9, 2021, CPD responded to the Premises on a report of a shooting. Multiple neighbors phoned in regarding gunfire coming from a house party at the Premises. Upon arrival, CPD was confronted with multiple partygoers fleeing the residence through the first-floor windows and doors. During the investigation, detectives learned that the shooting started outside the residence and may have included two groups of people shooting at each other. It was later reported that a victim was sitting in his vehicle in front of the Premises when a bullet smashed through the glass, narrowly missing him. There were no reported injuries, but multiple vehicles as well as two residences (neighboring residence of 300 East Seventeenth Avenue and the Premises) were struck by gunfire. One individual was later arrested and was found in possession of a gun.
14. On January 14, 2021, Respondent-Defendant Anthony Woodford stated to Sergeant Caroline Castro that upon receiving information of the shooting at the Premises, he provided a 3 day eviction notice to the Respondent-Defendant Unknown Tenants.

15. The Premises, and specifically the illegal weapons activity at the property, constitute an imminent danger for those at and around the Premises.
16. Failing to immediately padlock the property after the execution of the *ex parte* temporary restraining order will allow the dangerous illegal activity to continue, thereby causing immediate and irreparable injury, loss or damage to the applicant and the community.
17. *Ex parte* closure of the property is necessary in order to prevent destruction or removal of contraband or other property.
18. Prior notification of the temporary restraining order could pose a danger to the physical safety and lives of the Columbus police officers involved in its execution.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:**

Relator has established by clear and convincing evidence that the illegal weapons activity and illegal/unsafe activity occurring at the Premises continues to cause irreparable harm to the community and that the property is a nuisance per se as defined in R.C. § 3719.10 and 3767.01. It is the further ORDER of this Court that all occupants of the Premises be forcibly removed from the Premises forthwith. In executing this order, all barricades throughout the structure may be forcibly removed so as to prevent fortifying portions of the residence. Said occupants may be forcibly detained during the execution of this order. Furthermore, the premises shall be closed, padlocked, boarded or secured as deemed necessary by the Chief of the Columbus Police Department or his or her designee(s) against its use for any purpose until a final decision is rendered on the Complaint for Preliminary and Permanent Injunctive Relief as required by R.C. § 3767.04. This temporary restraining order shall apply to and prohibit usage of or entrance onto

any curtilage or porch areas of the premises for any purpose—no vehicles or persons are to be anywhere on the parcel.

It is further **ORDERED** that this temporary restraining order shall apply to the parcel in its entirety. No person may enter and/or occupy 298 East Seventeenth Avenue, Columbus, Ohio, including any portion of the parcel. Any violation of this order, including mutilation of this order, is contempt of court, punishable as a first degree misdemeanor.

It is further **ORDERED** that only necessary personal property located on the premises be removed by the occupants prior to closure and under the direction of the Columbus Division of Police. The Columbus Division of Police is authorized to inventory personal property located on the premises; however, only items related to or in connection with the illegal conduct must be inventoried and accounted for. The Columbus Division of Police may, however, also remove and secure at an off-site location highly mobile and valuable property, including but not limited to such personal property as automobiles, cash, jewelry and electronic equipment which may be at risk of theft during the pendency of this ORDER.

This case is continued for further preliminary hearing on the merits of Relator's Complaint for Preliminary and Permanent Injunctive Relief on the 25<sup>th</sup> day of January at 1:30 pm in courtroom 15B, located on the 15<sup>th</sup> floor of 375 S. High Street, Columbus, Ohio 43215. This Order shall remain in effect until that time or as otherwise ordered by this Court.

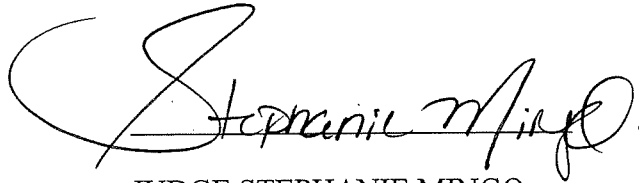
This order shall be served upon the Respondents-Defendants by the Columbus Division of Police or Relator's Counsel; the order may be served by posting a copy of it in a conspicuous place at or upon one or more of the principal doors or entrances of the property. The closing of said Premises with forcible entry and removal of all occupants shall be effectuated by the Columbus Division of Police with the assistance of Columbus Code Enforcement. Based on the Affidavit

submitted with the Complaint and Motion, the Court finds that notice of entry upon the premises could result in destruction, concealment or removal of contraband, illegal narcotics or property and could create a serious risk of physical harm to law enforcement officers or other authorized individuals in the execution of this *ex parte* Order.

**IT IS SO ORDERED.**

1/15/2021

DATE

A handwritten signature in black ink, appearing to read "Stephanie Mingo", written over a horizontal line.

JUDGE STEPHANIE MINGO